

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 97-2292

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Willie Lee Kent,

Appellant,

v.

Ken Korpecki,

Appellee.

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Appeal from the United States  
District Court for the  
Eastern District of Missouri.

[UNPUBLISHED]

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Submitted: July 7, 1998

Filed: July 27, 1998

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Before McMILLIAN, HANSEN, and MURPHY, Circuit Judges.

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PER CURIAM.

Willie Lee Kent, a Missouri prisoner, appeals from the district court's<sup>1</sup> grant of summary judgment to Ken Korpecki in this 42 U.S.C. § 1983 action claiming that Korpecki failed to protect him from being assaulted by two other inmates, and from its order denying Kent's motion for reconsideration.

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<sup>1</sup>The Honorable Donald J. Stohr, United States District Judge for the Eastern District of Missouri.

After our de novo review, see Madewell v. Downs, 68 F.3d 1030, 1036 (8th Cir. 1995), we conclude that the district court's grant of summary judgment for Korpecki was appropriate, because the record does not evidence that Korpecki had sufficient knowledge of the likelihood that Kent would be assaulted to render him liable for damages under section 1983. See 8th Cir. R. 47B. We also conclude the district court did not abuse its discretion in denying Kent's motion for reconsideration. See Perkins v. US W. Communications, 138 F.3d 336, 340 (8th Cir. 1998) (standard of review for Fed. R. Civ. P. 59(e) motion); Sanders v. Clemco Indus., 862 F.2d 161, 169 & n.14 (8th Cir. 1988) (standard of review for Fed. R. Civ. P. 60(b) motion; Rule 60(b) provides for extraordinary relief which may be granted only upon adequate showing of exceptional circumstances).

We deny Kent's motion to enlarge the record on appeal and affirm the judgment.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.